

IN THE HIGH COURT OF JUDICATURE AT PATNA
MJC No.104 of 2006

1. MANJU DEVI Wife of Late Kamlesh Prasad Singh
2. Mukesh Kumar Singh Son of Late Kamlesh Prasad Singh
3. Rakesh Prasad Singh Son of Late Kamlesh Prasad Singh

- All the above are residents of Village Baruari, PS Gaighat, District Muzaffarpur

.... Appellants/Petitioners

Versus

1. M/S MUZAFFARPUR MOTOR TRANSPORT cO-OPERATIVE SOCIETY, Muzaffarpur, Mohallat Imlichatti, PS Town, District Muzaffarpur (Owner)

....Respondent/Opposite Party

2. United India Insurance Company Limited through Divisional Manager, Divisional Office, Akharaghat Road, Muzaffarpur (Insurer)

....Respondent/Opposite Party

04- 20/4/2011

Perused the order dated 10.1.2011, passed by the

Supreme Court in Civil Appeal no.674 of 2011. Let it be kept on record for due observance by all concerned. Office will proceed accordingly.

2. Learned counsel for the petitioners presses **IA No. 207 of 2006**, filed under the provisions of section 5 of the Limitation Act, seeking condonation of the delay in filing this MJC application. In view of the facts and circumstances stated in this application, the delay in filing the present restoration application is hereby condoned. IA No.207 of 2006 is accordingly disposed of.

3. It appears that this MJC application has been filed for recall and/or modification of the orders dated

9.9.2003 and 17.12.2003, passed in Misc. Appeal No. 2 of 2003. In the facts and circumstances of the case, the same are hereby recalled. Misc. Appeal No. 2 of 2003 is accordingly restored to its original file.

4. The present restoration application is accordingly allowed.

mrl

(S K Katriar)

